## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

MICHAEL BANERIAN, et al.,

**Plaintiffs** 

v.

Case No. 1:22-cv-00054

Three-Judge Panel 28 U.S.C. § 2284(a)

JOCELYN BENSON, in her official capacity as the Secretary of State of Michigan, *et al.*,

Defendants.

## STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Parties hereby stipulate to the voluntary dismissal of this action. Plaintiffs have sought the consent of all Defendants. All Defendants have indicated in writing that they stipulate to the voluntary dismissal of this action, and each of the undersigned attorneys has expressly agreed to the form and substance of this document.

Dated: January 17, 2023 Respectfully submitted,

Attorneys for Plaintiffs Michael Banerian, Michon Bommarito, Peter Colovos, William Gordon, Joseph Graves, Beau LaFave, Sarah Paciorek, Cameron Pickford, Harry Sawicki, and Michelle Smith:

#### /s/ Charles R. Spies

Charles R. Spies (P83260)
Max A. Aidenbaum (P78793)
DICKINSON WRIGHT PLLC
123 Allegan Street
Lansing, Michigan 48933
cspies@dickinsonwright.com
maidenbaum@dickinsonwright.com
(517) 371-1730 (phone)
(844) 670-6009 (fax)

#### Jason B. Torchinsky

Jason B. Torchinsky
Shawn Toomey Sheehy
Edward M. Wenger
HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIAK PLLC
15405 John Marshall Highway
Haymarket, Virginia 20169
jtorchinsky@holtzmanvogel.com
ssheehy@holtzmanvogel.com
emwenger@holtzmanvogel.com
(540) 341-8808 (phone)
(540) 341-8809 (fax)

### Attorneys for Defendant Jocelyn Benson

/s/ Heather S. Meingast, filed with permission Heather S. Meingast (P55439) Erik A. Grill (P64713) Assistant Attorneys General P.O. Box 30736 Lansing, Michigan 48909 517.335.7659 meingasth@michigan.gov

Attorneys for Defendants Douglas Clark, Juanita Curry, Anthony Eid, Rhonda Lange, Steven Terry Lett, Brittni Kellom, Cynthia Orton, M.C. Rothhorn, Rebecca Szetela, Janice Vallette, Erin Wagner, Richard Weiss, and Dustin Witjes

## /s/ David H. Fink, filed with permission

FINK BRESSACK
David H. Fink (P28235)
Nathan J. Fink (P75185)
Philip D.W. Miller (P85277)
38500 Woodward Ave., Suite 350
Bloomfield Hills, Michigan 48304
(248) 971-2500
dfink@finkbressack.com
nfink@finkbressack.com
pmiller@finkbressack.com

BAKER & HOSTETLER LLP Katherine L. McKnight Richard B. Raile Dima J. Atiya 1050 Connecticut Ave., NW, Suite 1100 Washington, D.C. 20036 (202) 861-1500 kmcknight@bakerlaw.com

BAKER & HOSTETLER LLP Patrick T. Lewis Key Tower, 127 Public Square, Suite 2000 Cleveland, Ohio 44114 (216) 621-0200 plewis@bakerlaw.com

Attorneys for Intervenor-Defendants Joan Swartz McKay, Grace Huizinga, Samantha Neuhaus, Jordan Neuhaus, Cayley Winters, Glenna DeJong, Marsha Caspar, Hedwig Kaufman, Collin Christener, Melany Mack, Ashley Prew, Sybil Bade, Susan Diliberti, Lisa Wignet, Matthew Wignet, Pamela Tessier, and Susannah Goodman

/s/ Sarah S. Prescott, filed with permission Sarah S. Prescott, Bar No. 70510 SALVATORE PRESCOTT PORTER & PORTER, PLLC 105 E. Main Street Northville, MI 48168 (248) 679-8711 sprescott@spplawyers.com

Marc E. Elias
Emma Olson Sharkey
Melinda K. Johnson
Aaron M. Mukerjee
Raisa Cramer
Elias Law Group LLP
10 G St NE, Ste 600
Washington, DC 20002
Tel.: (202) 968-4490
melias@elias.law
eolsonsharkey@elias.law
mjohnson@elias.law
amukerjee@elias.law
rcramer@elias.law

# Attorneys for Intervenor-Defendant Count MI Vote d/b/a Voters Not Politicians

/s/ Andrew M. Pauwels, filed with permission
Andrew M. Pauwels (P79167)
Andrea L. Hansen (P47358)
Honigman LLP
222 North Washington Square
Suite 400
Lansing, MI 48933-1800
(517) 484-8282
apauwels@honigman.com
ahansen@honigman.com

Paul M. Smith
Mark P. Gaber
Jonathan M. Diaz
Campaign Legal Center
1101 14th St. NW, Ste. 400
Washington, DC 20005
Tel.: (202) 736-2200
psmith@campaignlegalcenter.org
mgaber@campaignlegalcenter.org
jdiaz@campaignlegalcenter.org

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon all counsel of record through the Court's CM/ECF system on January 17, 2023.

Dated: January 17, 20223	/s/ Jason Torchinsky
	Jason Torchinsky